

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
	)	Criminal No. 05-10102-JLT
v.	)	
	)	
	)	
JOHN BRUENS, MARY STEWART,	)	
MELISSA VAUGHN AND	)	
MARK SIROCKMAN,	)	
	)	
Defendants.	)	

**MOTION TO CONTINUE FURTHER STATUS CONFERENCE**  
**AND TO EXCLUDE TIME FOR SPEEDY TRIAL ACT PURPOSES**  
**FROM NOVEMBER 15, 2005 THROUGH DECEMBER 19, 2005**  
**(Assented To)**

Now comes the United States of America, by and through its attorney, Michael J. Sullivan, and requests the Court to continue the Further Status Conference in this case from November 15, 2005 until December 19, 2005, and to exclude this time period for Speedy Trial purposes, for the following reasons:

1. The defendants are still in the process of scanning documents disclosed by the United States. The scanning project is not expected to be completed by the date now set for the further Status Conference on November 13, 2005. By mid-December this project may be concluded and the defendants will be better able to advise the Court concerning motions to be filed in this case.

2. The United States is in the process of disclosing additional documents to the defendants as a result of the unsealing of documents relating to this case. Defense counsel will need time to review these additional documents.

3. Lead counsel for the United States will be out of the office for medical reasons from

October 26, 2005 and is not expected to return to the office until December 12, 2005.

4. The parties have conferred pursuant to L. R. 7.1. Counsel for each of the defendants assent to this motion and request the Court to set the conference for the afternoon of December 19, 2005. The parties are in agreement that the ends of justice would be served by this delay and that the delay is necessary to avoid a miscarriage of justice, and that the denial of this motion would, despite the exercise of due diligence, deny the parties the reasonable time necessary for effective pre-trial and trial preparation. Counsel for the defendants assent to the exclusion of time for Speedy Trial Act purposes from November 15, 2005 until December 19, 2005.

Wherefore, the United States requests the Court to continue the further Status conference in this case from November 15, 2005 until December 19, 2005 in the afternoon, and also to exclude this period of time pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A), 3161(h)(8)(B)(i), 3161(h)(8)(B)(ii), and 3161(h)(8)(B)(iv).

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: /s/ Mary Elizabeth Carmody

MARY ELIZABETH CARMODY  
Assistant U.S. Attorney  
U. S. Attorney's Office  
John Joseph Moakley  
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**CERTIFICATION PURSUANT TO L. R. 7.1 (A)(3)**

I hereby certify that on October 24, 2005, I conferred with the attorneys of record for the defendant by telephone to confer regarding the issues presented in this motion. Counsel for the defendants

assented to this motion.

/s/ Mary Elizabeth Carmody

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MARY ELIZABETH CARMODY

**CERTIFICATE OF SERVICE**

I hereby certify that on a true copy of the above document was served upon the attorney of record for each other party by mail on October 25, 2005.

/s/ Mary Elizabeth Carmody

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MARY ELIZABETH CARMODY

Assistant U.S. Attorney